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Docket No.: DTII 8136
Date: February 25, 2002.

In re application of: John Ingerslew, et al.

Serial No.: 10/022,640

Filed: December 17, 2001

For: ADHESIVE-BACKED LABEL AND PROCESS FOR PRODUCING THE SAME

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- ☒ Response in a *Notice of Omitted Item(s) In A Non Provisional Application*, mailed February 4, 2002
- ☒ A copy of the "NOTICE OF OMMITTED ITEMS"
- ☒ A Preliminary Amendment
- ☒ Four sheets drawings identical in substance with the drawings originally submitted, now complete with proper figure numbers and reference numerals
- ☒ No additional fee is required.

The Commissioner is hereby authorized to charge any additional fees or credit overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account 162201. *Duplicate copies of this sheet are enclosed.*

Philip B. Polster
Registration No: 16,554

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents Washington D.C., 20231, on February 26, 2002.

Philip B. Polster, Reg. No. 16,554

Feb. 26, 2002
Date of Signature



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: John Ingerslew, et al. GROUP ART UNIT:
SERIAL NO.: 10/022,640 EXAMINER:
FILED: December 17, 2001 DOCKET NO.: DTII 8136
FOR: ADHESIVE-BACKED LABEL AND PROCESS FOR PRODUCING THE
SAME

St. Louis, Missouri
February 26, 2002

Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE OF OMITTED ITEM(S)
IN A NON PROVISIONAL APPLICATION,**

Sir:

This is in response to a *Notice of Omitted Item(s) In A Non Provisional Application*, mailed February 4, 2002.

In the Notice dated February 4, 2002, it is stated that "Figure 4H described in the Specification appears to have been omitted." Actually, Figure 4H is there; it was merely mislabeled.

It will be observed that on the next to the last page of drawings as filed, the figures run from 4C through 4E. On the last page, what should have been Fig. 4F was mislabeled 4E, and the remaining two figures were accordingly mislabeled Fig. 4F and Fig. 4G. Those figures should have been labeled "Fig. 4F", "Fig. 4G" and "Fig. 4H".

Accordingly, the figure itself was not omitted. It was mislabeled.

Drawings with the Preliminary Amendment filed concurrently herewith, are corrected in this respect. Figures 4F through 4H are otherwise exactly the same as the ones mislabeled Fig.E, Fig.F and Fig.G on the last page of the drawings that were submitted with the application as filed.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents Washington D.C., 20231, on February 26, 2002.

Philip B. Polster, Reg. No. 16,554

Feb. 26, 2002
Date of Signature

No change was necessary in the written Specification. Accordingly, it is respectfully requested that the original filing date of December 17, 2001 be accorded the application and that the Preliminary Amendment be entered.

A copy of the last two pages of the drawings showing the correction proposed in the Preliminary Amendment are enclosed for the convenience of the office.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. B. Polster", written over a horizontal line.

Philip B. Polster, Reg. No. 16,554
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/022,640	12/17/2001	John Ingerslew	DTII 8136US

001688
POLSTER, LIEDER, WOODRUFF & LUCCHESI
763 SOUTH NEW BALLAS ROAD
ST. LOUIS, MO 63141-8750

CONFIRMATION NO. 1850

FORMALITIES LETTER



OC00000007417528

Date Mailed: 02/04/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 4H described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

Wei Wen Ma

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE